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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,079	02/25/2004	Tomohiro Ikeda	06753.0574	8535
22852	7590	08/26/2005	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			JAGAN, MIRELLYS	
			ART UNIT	PAPER NUMBER
			2859	

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

<b>Office Action Summary</b>	<b>Application No.</b> 10/785,079	<b>Applicant(s)</b> IKEDA ET AL.	
	<b>Examiner</b> Mirellys Jagan	<b>Art Unit</b> 2859	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claims 1-12 are objected to because of the following informalities:

In claim 1, “a first link portion” and “a second link portion” should be changed to --first link portions-- and --second link portions--, respectively, since the resilient holder body (e.g., ‘10’ in figure 3) is disclosed as having more than one first link portion (e.g., ‘13’ & ‘13’ in figure 3) and more than one second link portion (e.g., ‘14’ & ‘14’ in figure 3). Also, “an engagement portion” should be changed to --engagement portions-- in lines 4-7, 9, and 11 since each of the first link portions engages with a corresponding engagement portion of the temperature sensor, and each of the second link portions engages with a corresponding engagement portion of the fixed body. Lastly, “portion is” should be changed to --portions are-- in lines 9 and 10.

In claim 2, lines 6-7 should state --each of the link bodies (e.g., ‘12’ in figure 3) has a first link portion and a second link portion--.

In claim 4, “the first link portion” and “the second link portion” should be changed to --a first link portion-- and --a second link portion--, respectively; and “of the link body” should be changed to --of each of the link bodies-- in lines 2 and 3.

In claim 5, “portion” should be changed to --portions--.

In claim 6, “is curved” should be changed to --curves-- in line 2 since the connecting body (e.g., ‘11’ in figure 3) is normally straight, but curves when it is bent to attach to the temperature sensor; and “portion” should be changed to --portions-- in lines 2 and 3.

In claim 8, “the first link portion” should be changed to --each of the first link portions--.

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In claim 9, “the engagement portion” should be changed to --each of the engagement portions-- in line 2; and “the sides” should be changed to --a side--in line 3.

In claim 10, “of the link body” should be changed to --of each link body-- in line 2; and “the second link portion” should be changed to --its second link portion--in line 3.

In claims 11 and 12, “the second link portion” and “the engagement portion” should be changed to --each of the second link portions-- and --each of the engagement portions-- in lines 2, respectively.

Claims 3 and 7 are objected to for being dependent on an objected base claim.  
Appropriate correction is required.

*Allowable Subject Matter*

2. Claims 1-12 would be allowable if amended to overcome the objections set forth in this Office action.

3. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not disclose or suggest the following in combination with the remaining limitations of the claims:

A temperature sensor fixing holder for detachably fixing a temperature sensor to a fixed body, comprising a holder body that resiliently deforms about a first axis when the first link portions are engaged with the engagement portions of the temperature sensor, and about a second axis substantially orthogonal to the first axis when the second link portions are engaged with the engagement portions of the fixed body (see claim 1).

*Conclusion*

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mirellys Jagan whose telephone number is 571-272-2247. The examiner can normally be reached on Monday-Friday from 11AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJ  
August 19, 2005



**Diego Gutierrez**  
Supervisory Patent Examiner  
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